



**SUPPLEMENTAL REISSUE DECLARATION AND**  
**POWER OF ATTORNEY BY THE INVENTOR**

As below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor of the subject matter which is described and claimed in patent number 5,566,486, granted October 22, 1996, and for which a reissue patent is sought on the invention entitled Firearm Monitoring Device, the specification and Preliminary Amendment of which

(check one)       is attached hereto.

Were filed on October 22, 1998, as Application Serial No. 909/177,047 and was amended by amendment filed herewith.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

- by reason of a defective specification or drawing.
- by reason of the patentee claiming more or less than he had the right to claim in the patent.
- by reason of other errors.

The errors upon which reissue is based are described as follows:

1) DEFECT: Applicant failed to claim as much as he had a right to claim in claims 1 and 14.

HOW THE DEFECTS AROSE: These defects arose by not fully recognizing the scope of the limitations of the claims as originally filed.

WHEN THE DEFECTS AROSE: These defects arose in part during drafting the claims which became issued claims 1 and 14, and in part during the prosecution of the original patent application.

HOW THE DEFECTS WERE DISCOVERED: These defects were discovered as the result of on going discussions with the inventor regarding additional improvements to the invention (such improvements do not form any part of the original patent or this reissue application).

WHEN THE DEFECTS WERE DISCOVERED: The defects were first suspected as of May, 1997. Additional general reviews of the patent and prior art were subsequently undertaken. These reviews confirmed that the claims were narrower than necessary, although the exact

nature and extent of the defects were not known or fully appreciated until the preparation of this reissue application.

2) DEFECT: Applicant failed to claim as much as he had a right to claim, as is now covered by new claims 22-31.

HOW THE DEFECT AROSE: This defect arose by not fully recognizing the scope of the limitations of the claims as originally filed.

WHEN THE DEFECT AROSE: This defect arose in part during drafting of the claims of the original application, and in part during the prosecution of the original patent application.

HOW THE DEFECTS WERE DISCOVERED: These defects were discovered as the result of on going discussions with the inventor regarding additional improvements to the invention (such improvements do not form any part of the original patent or this reissue application).

WHEN THE DEFECTS WERE DISCOVERED: The defects were first suspected as of May, 1997. Additional general reviews of the patent and prior art were subsequently undertaken. These reviews confirmed that the claims were narrower than necessary, although the exact nature and extent of the defects were not known or fully appreciated until the preparation of this reissue application.

3) DEFECTS: The lack of antecedent basis for certain terms in claims 7, 8, 9, 10, 11, 13, 16, 17, 18, 19, 20 and 21, and various typographical, punctuation and/or grammatical errors evident from the Preliminary Amendment.

HOW THE DEFECTS AROSE: The lack of antecedent basis errors arose due to the amendment of claims 1 and 14 in this reissue. The typographical, punctuation and/or grammatical errors arose through inadvertence during the preparation and prosecution of the original application.

WHEN THE DEFECTS AROSE: The lack of antecedent basis errors arose during the preparation of this reissue application. The typographical, punctuation and/or grammatical errors arose during drafting of the claims of the original application.

HOW THE DEFECTS WERE DISCOVERED: These defects were discovered by reviewing these claims after the amendment of claims 1 and 14 were prepared.

WHEN THE DEFECTS WERE DISCOVERED: These defects were discovered during the preparation of this reissue application.

4) DEFECT: Grammatical corrections to claims 5 and 15, evident from the Preliminary Amendment and the subsequent Amendment filed herewith.

HOW THE DEFECTS AROSE: The defects arose through inadvertence during the preparation and prosecution of the original application.

**WHEN THE DEFECTS AROSE:** The defects arose during the preparation and prosecution of the original patent application.

**HOW THE DEFECT WAS DISCOVERED:** These defects were discovered by reviewing these claims during preparation of this reissue application.

**WHEN THE DEFECT WAS DISCOVERED:** These defects were discovered during the preparation of this reissue application.

**5) DEFECTS:** The original title does not completely reflect the scope of the claims as added in this reissue.

**HOW THE DEFECT AROSE:** The defect arose due to the amendment and addition of claims in this reissue.

**WHEN THE DEFECT AROSE:** The defect arose during the preparation of this reissue application.

**HOW THE DEFECT WAS DISCOVERED:** The defect was discovered by reviewing the patent during the preparation of this reissue application.

**WHEN THE DEFECT WAS DISCOVERED:** The defect was discovered during the preparation of this reissue application.

**6) DEFECTS:** Various typographical, punctuation and/or grammatical errors in the specification, evident from the Preliminary Amendment.

**HOW THE DEFECTS AROSE:** The typographical, punctuation and/or grammatical errors arose through inadvertence during the preparation and prosecution of the original application.

**WHEN THE DEFECTS AROSE:** The typographical, punctuation and/or grammatical errors arose during drafting of the specification of the original application.

**HOW THE DEFECTS WERE DISCOVERED:** These defects were discovered by reviewing the patent during the preparation of this reissue application.

**WHEN THE DEFECTS WERE DISCOVERED:** These defects were discovered during the preparation of this reissue application.

**7) DEFECTS:** Figure 2 does not contain the reference numeral "30".

**HOW THE DEFECT AROSE:** The defect arose through inadvertence during the preparation of the drawings as originally filed. The defect was duplicated in the formal drawings.

**WHEN THE DEFECT AROSE:** The defect arose when the original drawings were prepared.

HOW THE DEFECTS WERE DISCOVERED: These defects were discovered by reviewing the patent during the preparation of this reissue application.

WHEN THE DEFECTS WERE DISCOVERED: These defects were discovered during the preparation of this reissue application.

Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant. All errors corrected in this reissue application arose without any deceptive intention on the part of the applicants.

I hereby appoint Edwin R. Acheson, Jr., Registration No. 31,808; David E. Schmit, Registration No. 28,472; Ann G. Robinson, Registration No. 39,820; Steven J. Goldstein, Registration No. 28,079; Kevin S. Sprecher, Registration No. 42,165, and Sean P. Hodge, Registration No. 41,842; c/o Frost & Jacobs LLP, 2500 PNC Center, 201 East Fifth Street, Cincinnati, Ohio 45202 (513) 651-6800 my attorneys, with full power in each of them, of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: Kenneth L. Brinkley

Inventor's Signature

1-26-2000

(Date)

Address: 178 Barnwood Drive

Edgewood, KY 41017

Citizenship: U.S.A.

583015.02